

Applicants: Joel M. Friedman and Mahantesh S. Navati
Serial No: 10/593,387
Filed: August 14, 2007
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REMARKS

Claims 1-14, 20, 21, 24, 26, 37 and 38 were pending in the subject application. By this amendment, Claims 1-5, 20, 21, 24, 26, 37 and 38 have been canceled without prejudice or disclaimer, and new Claims 45-54 have been added. Accordingly, upon entry of this amendment, Claims 6-14 and 45-54 will be pending. Applicants maintain that the amendments to the claims do not raise an issue of new matter. Support for new Claims 45-49 can be found in the specification at least on page 4, paragraph [15]. Support for new Claims 50 and 53-54 can be found in the specification at least on page 3, paragraph [13]. Support for new Claims 51-52 can be found in the specification at least on page 3, paragraph [11]. Accordingly, entry of the amendments is respectfully requested.

Restriction Requirement

Applicants are required to elect a single invention to which the claims must be restricted:

- I. Claims 1-5, 37 and 38, drawn to powdered oxygenated hemoglobin;
- II. Claims 6-14, drawn to a method for the preparation of powdered protein with inulin;
- III. Claims 20-21, drawn to a method of preparing a blood substitute powdered hemoglobin via reconstitution;
- IV. Claim 24, drawn to a blood substitute; and
- V. Claim 26, drawn to a method of treatment via blood substitute.

In reply, applicants elect, without traverse, the invention identified by the Examiner as Group II, i.e. Claims 6-14, drawn to a method for the preparation of powdered protein with inulin. Applicants maintain that new Claims 45-52 fall within the elected invention.

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Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement (SIDS) is being filed to supplement the Information Disclosure Statement filed on September 18, 2006 in connection with the above-identified application.

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the references that are listed on the attached Forms PTO/SB/08A-B (2 pages). A copy of each non-patent U.S. patent document is attached hereto. PCT/US2007/014442 (WO 2007/149520 attached hereto) entered the U.S. national phase and was assigned U.S. Patent Application No. 12/227,657. PCT/US2007/004611 (WO 2007/100609 attached hereto) entered the U.S. national phase and was assigned U.S. Patent Application No. 12/223,762.

This SIDS is being filed pursuant to 37 C.F.R. §1.97(b)(3) before the mailing of a first Office Action on the merits of the application. Accordingly, no fee is deemed necessary in connection with the submission of this SIDS.

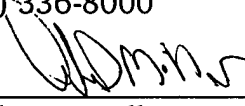
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CONCLUSIONS

No fee is deemed necessary in connection with the submission of this reply. However, if any fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,
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By 
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